

ORDINANCE NO. 680

AN ORDINANCE OF THE TOWN OF EASTON MODIFYING THE HOUSING LICENSE PROVISIONS TO EXTEND THE PROVISIONS TO SHORT TERM RENTALS, TO PROVIDE CLEAR DIRECTION ON APPLICABILITY AND EXCEPTIONS TO THE REQUIREMENT FOR A LICENSE, AND TO PROVIDE SPECIAL PROVISIONS FOR OCCUPANCIES BY IMMEDIATE FAMILY MEMBERS

INTRODUCED BY: _____

WHEREAS, short-term rentals have been growing in popularity across the United States, and including within the Town of Easton;

WHEREAS, the Town Council wishes to clarify certain aspects of the Town Code including confirming the requirement for a rental housing license for short-term rentals, clarifying uses that are required to obtain a license and those that are exempt from the housing license requirements, and clarifying how rentals to family members will be addressed; and

WHEREAS, the Town Council also believes it is appropriate to provide for additional provisions applicable to short-term rentals related to having a local representative available and notifying neighboring property owners of the use.

NOW, THEREFORE, be it ordained by the Town of Easton that:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Ordinance.

Section 2. Throughout Chapter 14 of the Town Code, the term “Code Enforcement Office” shall be substituted for the term “Building Department”.

Section 3. Article II of Chapter 14 of the Town Code shall be renamed Housing

License.

Section 4. Section 14-14, Article II of Chapter 14 of the Easton Town Code is hereby amended as follows:

§ 14-14. ~~Rental~~-Housing **License**. It shall be unlawful for any person to let for occupancy ~~or~~ let, **or allow the occupancy of** any dwelling, dwelling unit, ~~or~~ rooming unit, **or part thereof, whether for use on a nightly, weekly, monthly, or yearly basis**, within the Town of Easton without having first obtained a license for said unit as hereinafter provided.

§ 14-14.1 Exceptions: The requirement for a license shall not apply to the following uses as those uses are defined in the Town's Zoning Ordinance, which is Chapter 28 of the Town Code: Assisted Living Facilities, Bed and Breakfast Inns, Homeless Shelters, Hospice facilities, Hotels, Motels, Nursing Homes, Overnight Care Facilities, Patient Hostels, and similar uses.

§ 14-14.2 Special provisions when occupancy is by an immediate family member. When a dwelling, dwelling unit, rooming unit, or part thereof is let to an immediate family member of the owner or the owner's spouse (parents, children, grandparents, grandchildren, sibling, aunt, uncle, or first cousins. Includes: adopted, half, and step family members), a rental license shall be required, but no fee shall be required for the license. The Code Official shall determine the appropriate information required in order to determine compliance with this section.

§ 14-14.3 Exception for Owner Occupied: The requirement for a license shall not apply to occupancy of a dwelling, dwelling unit, or rooming unit solely by the owner and/or the owner's immediate family (as defined in § 14-14.2) when no rent is paid whether it is occupied as the owner's primary residence or as a secondary/vacation home.

§ 14-14.4 License for Non-Owner Occupied Use with no Rental. When a residential dwelling, dwelling unit, rooming unit, or part thereof is occupied by someone other than the owner, but no rent is collected and none of the exceptions above are applicable, a rental license shall be required, but no fee shall be required for the license.

(Ordinance 523 effective 3/28/2008, Ordinance 536 effective 10-14-2008, Ordinance _____ effective _____, historical reference 301, 518).

Section 5. Section 14-19, Article II of Chapter 14 of the Easton Town Code is hereby amended as follows:

§ 14-19. Additional provisions for Short Term Rentals. All rentals made for a period of less than four (4) months shall be subject to the following additional provisions:

§ 14-19.1 Local Representative. If the owner of the property does not have a principal residence in Talbot County, the owner must name an agent that can be contacted 24 hours a day regarding any problems or issues. The named agent must have a principal residence within Talbot County.

§ 14-19.2 Notification. The owner or an agent of the owner shall notify neighboring property owners of their intention to conduct short-term rentals on the property. The notification shall be sent to all properties that are within 400 feet of the owner's property by certified mail, return receipt requested, and regular mail to the address provided on the Town of Easton or Talbot County tax bill. The notification must include an address and telephone number where the property owner or agent(s) may be contacted 24 hours a day during any short-term rental period. The property owner or agent shall provide proof of the notifications to the Code Enforcement Office with their rental housing license application.

§ 14-19.3 Upon request by any neighbor or other person who may be affected by the short-term rental, the Code Enforcement Office may provide the property owner's and/or agent's name and contact information.

(Language to be deleted from the Town Code is indicated in ~~strikethrough~~ format and language to be added is indicated by ***bold italics*** text):

Section 6. The existing §14-19, Article II of Chapter 14 of the Easton Town Code entitled Rental Housing License – Administrative History is hereby renumbered as §14-20, the existing §14-20 shall be renumbered as §14-21, and so on with the remaining sections of Chapter 14 being renumbered in a similar fashion.

Section 7. In accordance with Article II Section 9 of the Easton Town Charter, this ordinance shall become effective twenty (20) calendar days after approval by the Mayor or

passage of this ordinance by the Council over the Mayor's veto.

Silverstein	-
Leshner	-
Engle	-
Cook	-
Ford	-

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this _____ day of _____, 2016.

John F. Ford, Town Council President

Delivered to the Mayor by me this _____ day of _____, 2016.

Kathy M. Ruf, Town Clerk

APPROVED:

Date: _____

Robert C. Willey, Mayor

EFFECTIVE DATE: _____, 2016.